

HB 1998 -- Health Services and Fees and Traffic Offenses

Sponsor: Franz

Currently, the Department of Health and Senior Services processes claims submitted by hospitals and health care providers requesting an offset of income tax refunds to satisfy an outstanding debt owed by a taxpayer. This bill repeals the provisions regarding the process by which the department requests offsets and authorizes an entity designated as a claim clearinghouse to process and verify requests for an offset for ambulance service providers of taxpayer income tax refunds and lottery winnings to satisfy outstanding debts for ambulance services received. Prior to utilizing the clearinghouse, an ambulance service provider must give certain notices to patients and allow for various levels of review and appeals of their claims. A collection assistance fee allocated between the clearinghouse and the Department of Revenue is assessed to each offset for the costs of collecting the debt. Claims for debts owed to ambulance service providers requesting an offset will receive the least priority as specified in Section 143.789, RSMo.

The bill adds any emergency medical technician licensed pursuant to Chapter 190 to the list of individuals who can report to the Department of Revenue any person diagnosed or assessed as having a disorder or condition that may prevent him or her from safely operating a motor vehicle in order to provide the department director with good cause to believe that the operator is incompetent or unqualified to retain his or her driver's license.

The bill changes the laws regarding moving violations and traffic offenses occurring within an active emergency zone. The bill:

- (1) Increases the penalties for moving violations and traffic offenses occurring within an active emergency zone which is defined as an area that is visibly marked by emergency responders on, or around, a highway, and where an active emergency or incident removal is temporarily occurring;
- (2) Requires any person convicted of a first moving violation or traffic offense within an active emergency zone to be assessed a fine of \$35 in addition to any other fine authorized by law. A second or subsequent offense will result in a \$75 fine;
- (3) Specifies that a person will be guilty of a class C misdemeanor for passing another vehicle in an active emergency zone. A person who pled guilty to or is convicted of a speeding or passing violation will be assessed a fine of \$250 in addition to any other fine authorized by law. A second or subsequent violation will result in a \$300 fine;

(4) Specifies that a person commits the offense of endangerment of an emergency responder if, while in an active emergency zone while emergency responders are present, the person:

(a) Exceeds the posted speed limit by 15 m.p.h. or more;

(b) Passes another vehicle;

(c) Fails to stop for a flagman, an emergency responder, or a traffic control signal in the active emergency zone;

(d) Drives through or around an active emergency zone via any lane that is not for motorists;

(e) Physically assaults, threatens, or attempts to assault an emergency responder with a motor vehicle or other instrument;

(f) Intentionally strikes or moves barrels, barriers, signs, or other devices for a reason other than to avoid an obstacle, emergency, or to protect the health and safety of another person; or

(g) Commits various specified offenses that allow for the assessment of points under Section 302.302;

(5) Specifies that when no injury or death results, a person who pleads guilty to or is convicted of endangering an emergency responder will be subject to a fine of up to \$1,000 and have four points assessed to his or her license. If a death or injury results, the person commits aggravated endangerment of an emergency responder and will be subject to a fine of up to \$5,000 if a responder is injured and up to \$10,000 if death resulted and have 12 points assessed to his or her license; and

(6) Specifies that any person committing endangerment or aggravated endangerment of an emergency responder as a result of a vehicle's mechanical failure or the negligence of another person will not be cited for or convicted of the offense.